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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/579,739	12/28/1995	YUJI SAKAEGI	35.C11122	4617

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NEW YORK, NY 10112

EXAMINER

VU, NGOC YEN T

ART UNIT	PAPER NUMBER
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2612

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DATE MAILED: 09/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
08/579,739

Applicant(s)
SAKAEGI

Examiner
Ngoc-Yen Vu

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 28, 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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This Office action is meant to replace the previous Office action which was mailed on 04/09/01.

Continued Prosecution Application

1. The request filed on 03/12/2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/579,739 is acceptable and a CPA has been established. An action on the CPA follows.

Response to Amendment

2. The amendments, filed on 02/13/2001, have been entered and made of record.

Response to Arguments

3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-3, 6, 12-15 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Aoki (US #5,438,359).

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Regarding claims 1-2, Hicks discloses a system that includes a power saving feature. As seen in figure 1, the system includes a peripheral apparatus (power saver 17), a predetermined circuit (printer 2), and a personal computer (1). As can be seen in figure 1 and described in the corresponding parts of the specification, the power saver detects the voltage level of a signal line (13) connected to the computer (1) (see col. 3 lines 38-55; col. 5 lines 49-65). Based on this determination, power is supplied to the printer (2) via power cord (3). Hicks further teaches discriminating means (microprocessor 39/49 and button 35) for discriminating whether or not a communication request of a predetermined procedure has been received from the personal computer (1) after the electric power of the power source was supplied to the printer (2) by said power saver (17) (col. 1, line 60 to col. 2 line 27; col. 3 line 38 to col. 5 line 65), wherein said microprocessor 39/49 detects the voltage level of the signal line connected to the personal computer (col. 5 lines 49-65); and control means (39/49) for continuing the supply of the electric power from the power saver (17) once said discriminating means discriminates a presence of the communication request (col. 1 lines 60+, and in col. 4 lines 35+.) Claims 1-2 differ from Hicks in that the claim further requires that said discriminating means is powered by the personal computer (1) via the signal line. However, Hicks does show that the peripheral apparatus (17) has its own power cord (4). As evidenced by Aoki, it is well known in the art that electronic apparatus such as the personal computer (1) or the peripheral apparatus (17) shown in Hicks has its own power source which could be either a power cord or a battery. Claims 1-2 also differs from Hicks in that the claim requires that the peripheral apparatus which has a power switch

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wherein the power supply control means control a supply of the electric power to the predetermined circuit for a predetermined period even when said power switch is off.

In the same field of endeavor, Aoki teaches an electronic camera (1) which can be connected to a computer apparatus (2) (see Fig. 1). Aoki further teaches that the electronic camera (1) has a battery (16) and a power circuit (119) (see Fig. 3). In column 4, lines 3-16, Aoki teaches that the power circuit (119) can be supplied with the power from the power source (25) of the personal computer (2), or the power circuit (119) can be driven by a power supplied from the battery (16). Aoki also teaches in column 4, lines 16-20, that when the camera (1) is connected to the personal computer (2), the power supply to the power circuit (119) from the battery (16) is automatically switched to the power supply from the power source (25) of the personal computer (2). In light of the teaching from Aoki, it would have been obvious to have the power source from the computer (1) power the discriminating means of the peripheral device (17) shown in Hicks so that the peripheral device (17) need not be tethered to a wall outlet.

As to claim 3, Hicks shows in figure 1, the power supply cord (3) and the data signal line (13) are separate.

As to claim 6, Hicks shows that the peripheral apparatus has its own power cord (4). Official Notice is taken that the personal computer has its own power source which could be either a power cord or a battery. It would have been obvious to have the power source from the computer power the detecting means of the peripheral device so that the peripheral device need not be tethered to a wall outlet.

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Regarding claims 12-15 and 18-19, they are considered substantively equivalent to claims 1-2 which were discussed above.

6. Claims 4-5, 7-11, 16-17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Aoki (US #5,438,359), and further in view of Kikinis et al. (US #5,821,924).

As to claims 4-5, Hicks specifically shows in figure 1 that the peripheral apparatus can be a printer (2). As discussed in col. 1 lines 25+ and col. 5 line 1+, peripheral devices other than printers can also be used with computers. Throughout the specification, Hicks uses the generic term "peripheral device" implying that any known type of peripheral device could be used with the power-saving system, not only a printer. Aoki discloses that it is known in the art to also use a camera as a peripheral device to a personal computer (col. 1, lines 13+.) This allows a user to transmit image data to and receive image data from the computer from the camera allowing greater processing capability as well as the opportunity to store a large number of images (col. 1 line 23 - col. 2 line 30.) Since Hicks specifically discloses that computers may be used with different types of peripheral devices, and Aoki discloses that it is advantageous to use cameras along with computers, it would have been obvious to one of ordinary skill in the art to use a camera as the peripheral device in the power saving system disclosed by Hicks.

With respect to the limitation of a power switch, in figures 1, 2 and 5, Kikinis teaches a computer peripheral (monitor 547) including a power switch (switch 553), detecting means

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(Sync. Detecting circuit 551) for detecting a voltage level of a signal line (VGA cable 127) connected to a personal computer (PC 111/211), and power supply control means (power supply 555) for controlling a supply of an electric power from a power source to a predetermined circuit (a video circuit) (see col. 4 line 2 - col. 6 line 11). Kikinis further teaches that the power from the PC is supplied to the monitor for a predetermined period even when said power switch is off (see col. 6 lines 12-35). In light of the teaching from Kikinis, it would have been obvious to one of ordinary skill in the art to modify the peripheral apparatus of Hicks and Aoki by providing the apparatus a power switch wherein power is supplied to the apparatus even when the power switch is off so as to assure that power to the apparatus can be supplied in a variety of means.

Regarding claim 7, it is considered essentially similar to the combination of claims 1 and 4 which were discussed above. See the above description of how Hicks applies to the limitations. Likewise, Hicks further teaches that the supply of electric power to peripheral device (2) is stopped in the case that the predetermined command is not discriminated by said discriminating means (col. 1, lines 60+).

Aoki discloses that a camera may be used as a peripheral device which may be connected to a computer (col. 1 line 8 to col. 2 line 30.) For the same reasons discussed above, it would have been obvious to use a camera as the peripheral device in the power-saving system disclosed by Hicks. Aoki specifically states that the camera may be used as a stand-alone device while not connected to the computer (col. 1 line 45+.) As shown in figure 3, Aoki show a camera including a recording means (3) and a buffer (115).

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As to claims 8-9, they are considered substantively equivalent to claims 2-3 which were discussed above.

As to claim 10, Hicks, as modified by Aoki, discloses that the recording means has a buffer (32) for storing the photographed image information (Aoki, Figs. 3-5).

As to claim 11, it is considered substantively equivalent to claims 6 which was discussed above.

As to claims 16 and 20, it is considered substantively equivalent to claim 4 which was discussed above.

As to claims 17 and 21, Aoki shows an image pickup means (Fig. 3, CCD 14).

Conclusion

7. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ngoc-Yen Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

NYV
08/28/2003



NGOC-YEN VU
PRIMARY EXAMINER